

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION**

**CIVIL CASE NO. 1:12cv107**

<b>ARMINDA GUDALUPE VALDERRAMA NAVARRO,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>STATE FARM MUTUAL AUTOMOBILE INSURANCE</b>	)	
<b>COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	
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**ORDER OF DISMISSAL**

**THIS MATTER** is before the Court *sua sponte* to dismiss this action.

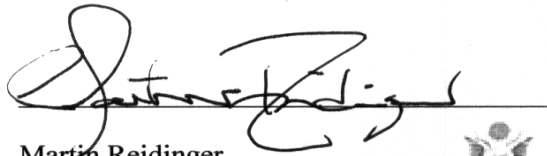
On May 23, 2012, the Defendant removed this action from state court. [Doc. 1]. On June 21, 2012, the Defendant moved to dismiss the action for failure to state claims upon which relief may be granted. [Doc. 4]. In the memorandum in support of the motion, the Defendant clarified that the caption of the state court complaint contained a misnomer since the Defendant's correct name is State Farm Mutual Automobile Insurance Company. [Doc. 5]. The caption has been corrected to reflect the Defendant's name.

The time within which the Plaintiff was to respond to the Motion to Dismiss expired on July 9, 2012. No response was filed. On July 17, 2012,

the parties, both of whom are represented by counsel, were ordered to advise the Court within five days why this matter should not be dismissed. Neither party has responded. As a result, the Court will grant the Motion to Dismiss.

**IT IS, THEREFORE, ORDERED** that, the Plaintiff having defaulted, the Defendant's Rule 12(b)(6) Motion to Dismiss is hereby **GRANTED** and this action is hereby **DISMISSED**.

Signed: August 2, 2012

  
Martin Reidinger  
United States District Judge

